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SUBJECT: RESULTS OF CITES STANDING COMMITTEE 55 AND COP14  
MEETINGS IN THE HAGUE, NETHERLANDS, JUNE 2-15, 2007

REF: A. A) KATHMANDU 878

[1](#)B. B) BEIJING 003213

SUMMARY:

[1](#)1. The United States achieved key objectives at the fourteenth meeting of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES COP14), which met June 3-15 in The Hague, Netherlands. The delegation of approximately 30 interagency representatives, as well as a representative from the states was led by Department of the Interior Deputy Assistant Secretary for Fish and Wildlife and Parks Todd Willens and Department of State Oceans, Environment, and Science Bureau Deputy Assistant Secretary Dan Reifsnyder. Among the biggest successes were adoption of the U.S. proposal to list sawfish, adoption of the U.S. proposal for enhanced cooperation between CITES and ITTO, progress on the "Introduction from the Sea" issue, and resolutions addressing wild tiger conservation and elephants and the ivory trade. The U.S. also played a positive role in facilitating range state dialogues.

[1](#)2. Negotiations on budget and the strategic vision were challenging, while the unsuccessful outcomes on coral and bobcat listings were disappointing. The U.S. submitted eight species proposals and four other documents pertaining to implementation issues. In the end, the COP adopted four of the species proposals, while the other documents achieved positive results, even if some went forward with significant amendments. The Dutch government also hosted a Ministerial Roundtable on June 13, resulting in a Chair's Summary. END SUMMARY.

STANDING COMMITTEE MEETING:

[1](#)3. The 55th meeting of the Standing Committee took place June 2, the day before the COP opened, and took two significant actions. First, it affirmed Japan's status as a "trading partner" (i.e., recipient) of the ivory approved for the one-off sale. China made a bid for approval as a second trading partner, which was forced to a vote that did not carry. The committee signaled that it might approve China as a trading partner at its next meeting, however, and there were indications that the sale may be delayed pending that approval. The second key result was the adoption of recommendations by the Committee for Peru regarding trade in bigleaf mahogany timber. Peru is the largest exporter of this timber species, and the United States is the largest importer. Peru committed to further reductions in exports, zero tolerance for illegal logging, and further cooperation with other entities to ensure that timber exports are based on sustainable levels of harvest and come from legal sources. BUDGET AND FINANCE

[1](#)4. The COP approved documents on Financial Reports for 2005-2006 (Doc. 7.1) and Estimated Expenditures for 2007

(Doc. 7.2) by consensus. However, adjustments to the assessment of contributions by the Parties proved to be a two-week negotiated process that only came to conclusion during a drawn-out - and cantankerous - plenary debate through a series of votes. The costed work program and the funding of the Secretariat were the subject of a working group (chaired by Ireland) and friends of the Chair of Committee II group (chaired by China-Hong Kong SAR). Votes to increase the budget by 7.5% and 15% failed to garner the necessary three-quarters, as did a split budget proposal for a 3% increase in contributions combined with a 4.5% budget increase from the CITES Trust Fund's strategic reserve. Eventually, after plenary adjourned briefly (essentially to cool off), a 6% increase put forward by Ireland garnered nearly 87% of the vote.

15. The United States abstained on the 6% proposal (as still too excessive), our first-ever abstention in CITES. The costed program of work will now go to the Standing Committee for revisions in light of the new budget. While a 6% increase is significantly higher than recent increases approved by the COP, it fell well short of the Secretariat's requested 30% increase. COP14 approved a new permanent Budget and Finance Subcommittee of the Standing Committee to provide input to the Secretariat on budget and financial matters.

#### STRATEGIC VISION

16. The proposed Strategic Vision produced by a Standing Committee working group proved problematic, so COP14 established an open-ended working group to draft a Strategic Vision for 2008-2013. The working group met throughout the COP and hammered out a consensus document (Doc. 11). The final product largely reflects the U.S. position and our concerns with the original document. To gauge the implementation of the new Strategic Vision, the Standing

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Committee will have the job of developing indicators for the document's goals and objectives.

#### JUNE 13TH MINISTERIAL

17. The Dutch government convened a one-day Ministerial Round Table during the COP. The meeting was chaired by Minister of Agriculture, Nature and Food Quality Gerda Verburg. About 40 countries took part. Many important CITES parties, notably Japan and Brazil, did not participate. The Round-Table focused on four areas: CITES contribution to the broader biodiversity agenda; strengthening implementation and enforcement of CITES; timber species; and marine species. Following an initial round of statements in the morning, the Dutch rather assertively handed out a six-page "Minister's Declaration" after lunch expecting its approval that afternoon. The U.S. delegation, together with Mexico, Argentina and Guatemala, indicated concern about being able to analyze and negotiate such a long declaration in one afternoon while EU countries and others indicated their willingness to go along with the Chair's plan. In the end, we were successful in converting the document into a Chair's summary and to delete its most problematic elements. Our general assessment is that the Ministerial was not a useful addition to the CITES COP.

18. BOBCAT: The State fish and wildlife agencies appealed to our CITES management authority stating that the numbers of bobcats in the United States are high and the administrative burden of their Appendix II listing is unwarranted, resulting in the U.S. proposal to the COP to remove the bobcat (*Lynx rufus*) from Appendix II. The original listing stemmed from the bobcat's similar appearance to other *Lynx* species in Appendices I and II, in CITES terms referred to as a look-alike listing. Parties opposed to the delisting argued that failure to regulate trade in bobcat skins and parts under CITES could potentially facilitate the illegal trade of similar medium-sized cat species. To address these concerns, the United States proposed placing the bobcat in Appendix III instead of delisting it altogether, but this approach also failed to receive the required two-thirds majority in committee. In the end, there was no change to the CITES status of bobcat and it is listed on Appendix II. The United

States will continue its efforts to address the look-alike issue and its work on the Felidae review in the CITES Animals Committee. Removing the bobcat from CITES Appendix II remains a priority issue for State fish and wildlife agencies in the United States.

¶9. TIGERS: The United States was successful in securing a strong resolution on wild tiger conservation as the state of the species has reached a crisis point. This was especially important given China's recent efforts to secure international support to lift its domestic ban on trade in tiger parts under the guise of conservation. (Note: Chinese tiger farmers have accumulated thousands of animals and are lobbying the government to re-open trade. See REF A and B End Note.)

¶10. During the first week of the COP, the U.S. delegation met with several range countries (China, India, Nepal, Russia) to encourage a firm stance against China's move to lift its tiger trade ban and to work jointly on focused decision language for conservation out of Resolution 12.5 on Asian Big Cats. Committee II noted reports and annexes from Asian Big Cat range states and the CITES Secretariat's report on its Verification and Assessment Mission to China. India announced establishment of a long-awaited Wildlife Crime Bureau, much needed as India's wild tiger numbers continue to dwindle.

¶11. China, Russia, India and Nepal introduced a draft decision document with toned-down language loosely promoting wild tiger conservation efforts. The U.S. delegation proposed amendments to strengthen the text, and included the phrase: "tigers should not be bred for trade in their parts and derivatives." Although China objected to this direct reference to its captive-breeding facilities, India, Bhutan, Nepal, and Swaziland supported the amendment. The Decision (COP14 Com. II. 33), directs the Parties and the CITES Secretariat to uphold Resolution Conf. 12.5 for Asian Big Cat

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conservation, lays plans for workshops on tiger trade enforcement and on conservation strategy, and discourages captive breeding of tigers for trade. Committee II adopted the Decision by consensus and passed amendments through voting. In the later plenary session, the agenda item was not re-opened, although China made an intervention to express dissatisfaction with the process and outcome.

¶12. ELEPHANTS AND IVORY: As at other recent COPs, the U.S. delegation arrived in The Hague without declaring an official position on three draft elephant proposals (from Kenya and Mali; Botswana; and Botswana, Namibia and South Africa). This

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deliberate "undecided" position allowed the U.S. delegation to function effectively as a facilitator among range countries as well as other countries with a significant interest in elephants (e.g., the European Community).

¶13. MIKE and ETIS: The MIKE (Monitoring Illegal Killing of Elephants) program, among other activities, evaluates the effect of an individual sale on levels of elephant poaching. The U.S. Fish and Wildlife Service has provided over \$1,161,200 in grant funds to support MIKE since its inception in 1999. The MIKE report for COP 14 comprised administrative changes, baseline data results, and future planning. The U.S. delegation was gratified to see that the program had collected baseline elephant population and illegal killing data from 51 sites in Africa.

¶14. The MIKE coordinator reported that the program will report baseline information annually to identify trends. As a major donor, the United States expressed support of MIKE while noting concerns about its administrative history. We are satisfied that the new MIKE Coordinator has answered our questions and will continue a dialogue, including by visiting the U.S. Fish and Wildlife Service in Washington, D.C. The MIKE report was adopted by consensus.

¶15. The director of ETIS (Elephant Trade Information System) reported on trends, sources, and possible causes of illicit ivory seizures. The ETIS report, based on ivory seizures data, indicated that there was no increase in illicit trade

following the first one-off sale, there was a decline in ivory seizures between 1999 and 2004, and an increase from 2005 to the present primarily due to increased demand in China and organized Chinese criminal activity, mostly in Central and Western Africa. However, China's improved law enforcement drew praise. The report was adopted by consensus.

¶16. Negotiations on elephants and ivory trade began at the African Elephant Range States Dialogue meeting right before the COP and continued well into the second week of the COP itself. Informal drafting groups met a number of times on the margins of the COP. The EU and the U.S. delegations served significant roles as facilitators in the search for compromise. Finally, Chad and Zambia submitted a new document which the COP adopted by consensus.

¶17. Current Consensus Agreement on Elephants and Ivory: For those elephant populations in CITES Appendix II in Botswana, Namibia, South Africa, and Zimbabwe, the CITES Parties agreed to continue to allow trade in hunting trophies for non-commercial purposes; limited trade in live elephants; trade in hides, hair, and leather goods; non-commercial trade (tourist souvenirs) in some ivory carvings and jewelry items; and most importantly, trade in raw ivory from existing stockpiles registered by January 31, 2007, subject to certain conditions. The raw ivory will be added to the existing ivory stockpiles approved for a one-off sale at COP12 (Santiago, Chile; 2002). However, the Parties gave this approval with the agreement that no further proposals to allow trade in elephant ivory from these populations may be submitted to the COP until 9 years following the sale of the approved ivory stocks.

¶18. The Parties also decided that the African elephant range states should develop an overall African elephant action plan to improve elephant management, and that the CITES Secretariat should establish an African elephant fund, to be

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administered by the CITES Standing Committee to implement the action plan. The United States expressed particular concerns about the adequacy of enforcement and controls on ivory trade in Zimbabwe. The Secretariat gave assurances that it will monitor and verify the ivory controls in Zimbabwe. We are satisfied that the consensus agreement at CoP14 acknowledges the conservation efforts of some African elephant range countries while continuing the strict trade prohibitions for most populations.

#### MARINE ISSUES

¶19. SAWFISH: The United States and Kenyan proposal to list sawfish (*Pristidae* spp.), a highly endangered shark-like species, in Appendix I was adopted as amended by Australia. The U.S. had proposed to list all seven species of sawfish in Appendix I. Australia's amendment provides that one species, *Pristis microdon*, will be listed in Appendix II to allow for limited trade in live specimens for aquaria. Because Australia is likely the only CITES Party that trades in live sawfish and can make the non-detriment finding required for trade under Appendix II, the U.S. delegation did not believe Australia's amendment would adversely impact wild sawfish populations. CITES Parties from every region supported the U.S./Kenyan proposal.

¶20. CORAL: The U.S. proposal to list pink and red corals (*Corallium*) in Appendix II was adopted in Committee, but overturned by secret ballot in the final plenary session. If

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the COP had approved the proposal, the listing would have regulated trade and promoted sustainable harvest of these precious deepwater corals for international trade. The U.S. delegation worked extensively with Italy (acting on behalf of the EU) to modify the proposal to address implementation issues raised by several Parties. The United States will evaluate when, whether, and how to propose the listing of *Corallium* at future COPs.

¶21. CARDINAL FISH, SPINY LOBSTER AND EUROPEAN EELS: After consulting with Indonesia, the United States withdrew its proposal to list in Appendix II the Banggai cardinalfish, a coral reef species endemic to Indonesia and heavily traded in



the U.S. hobbyist aquarium market. The United States will monitor the effectiveness of local conservation programs the Government of Indonesia committed to implement for this species. Brazil withdrew its proposal to list Brazilian populations of spiny lobster (*Panulirus argus* and *P. laevicauda*) in Appendix II. The United States will work with Brazil and countries in Central America and the Caribbean to develop appropriate regional management initiatives for spiny lobster. The EU's proposal to list European eels (*Anguilla anguilla*) in Appendix II passed by a large majority. The United States will need to consider how to ensure effective conservation and management of American eels, which are not currently listed on CITES, given possible problems in distinguishing between European and American eels and their products in trade.

¶22. SHARKS: Germany, on behalf of the European Community Member States, proposed to list two commercially traded shark species in Appendix II: porbeagle (*Lamna nasus*) and spiny dogfish (*Squalus acanthias*). Both proposals failed to achieve the required two-thirds majority of Parties voting during committee, and the spiny dogfish proposal failed again after a re-opening of debate in plenary. After much deliberation, and extensive consultations with the EU, the United States agreed to support both shark proposals, in part because the EU committed to developing a comprehensive management plan for sharks in internal EU waters. We will continue to work with the EU to promote effective shark conservation and management through appropriate fisheries management bodies.

¶23. WHALES: The United States and other whale-conservation countries successfully defeated a proposal by Japan calling for a CITES scientific body (the Animals Committee) to review the biological status of all whale species subject to management by the International Whaling Commission (IWC). The IWC currently maintains a moratorium on commercial whaling, and its Scientific Committee is responsible for reviewing the status of whale species under its jurisdiction. Additionally, the United States supported an Australian proposal, which the COP passed, to prohibit CITES periodic reviews of great whale species, including North Atlantic fin whales, while the IWC moratorium is in place.

¶24. INTRODUCTION FROM THE SEA: After years of discussion and debate, the Parties adopted a resolution, by consensus, containing a definition of "the marine environment not under the jurisdiction of any State." The United States endorsed the agreed definition and sees it as an important first step in the process to clarify various aspects of the introduction from the sea provision under CITES. In addition to the resolution, the Parties adopted a decision directing the Standing Committee to establish a working group on introduction from the sea to make progress on other issues identified in the final report of the 2005 CITES Workshop on Introduction from the Sea Issues. The United States fully supported the formation of the working group and plans to continue to participate in the work on this important issue.

COOPERATION WITH THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

¶25. MARINE SPECIES AND FAO: In an effort to ameliorate long-standing tensions between the CITES Secretariat and the UN Food and Agriculture Organization (FAO) regarding the treatment of marine fish species proposed for listing on CITES appendices, the United States promoted the development of a Memorandum of Understanding (MOU) between the two organizations. Under this MOU, the FAO convenes an Expert Panel to evaluate all marine fish listing proposals. All CITES Parties receive the FAO Expert Panel's recommendations, in addition to the recommendations of the CITES Secretariat. This year, the CITES Secretariat and the FAO Expert Panel gave widely divergent advice on the marine listing proposals, and the tension between the recommendations of the two organizations was a dominant theme at COP 14. At the end of the day, the advice of the FAO Expert Panel prevailed for all seven marine proposals, but the CITES Secretariat, the FAO Committee on Fisheries, and all CITES Parties should evaluate implementation of the MOU in advance of the next CITES COP.

¶26. TIMBER SPECIES AND FAO: The United States was supportive of increasing informal cooperation with FAO on timber and non-timber forest product issues, but did not support formalizing this relationship through negotiating an expanded MOU. The U.S. delegation proposed amended text to Document 18.1, deleting references to formalizing that relationship, and our intervention specified that we supported only informal cooperation. Numerous other Parties who also did not support more formal mechanisms supported our approach, and the amended text was adopted. The U.S. Forest Service will contact FAO-forestry staff and reaffirm the desired cooperation and approach from the FAO side.

¶27. GUIDE TO CITES AND COMPLIANCE PROCEDURES: Since COP 12, a working group has met during COPs and Standing Committees, and electronically, to develop guidelines for compliance. Throughout this long process the United States has diligently argued that the document must be purely descriptive of existing CITES compliance practices. Others had sought to have the document create new compliance procedures. In the end the new Guide, which was taken note of as an annex to a COP 14 resolution, is purely descriptive in nature.

#### TIMBER SPECIES

¶28. LISTING OF PERNAMBUCO TIMBER: The United States supported the Appendix-II listing of *Caesalpinia echinata*, with the caveat that the COP could adopt an appropriate annotation exempting musical instruments (finished products, such as bows). There was widespread support for this proposal, and it was adopted by consensus with an annotation specifying trade in "Logs, sawn wood, veneer sheets, including unfinished wood articles used for the fabrication of bows for stringed musical instruments."

¶29. LISTING OF SPANISH CEDAR AND CENTRAL AMERICAN ROSEWOOD TIMBER SPECIES: The United States was undecided on the *Cedrela* and *Dalbergia* timber listing proposals (by Germany on behalf of the EU) pending consultations with the range states on the most effective way to support forest management efforts in the region. Consultations among Parties from the Central and South American and Caribbean region resulted in unanimous range state opposition to the proposals. Hearing little support for its proposals, Germany withdrew them. A working group formed to draft a decision creating a workplan for collecting additional information to inform the Parties on the merits of future listing proposals and to promote conservation of these species. This workplan will be facilitated by the Plants Committee. The decision also directs range states to consider listing these species in Appendix III.

¶30. As a range state for *Cedrela odorata*, the United States could consider whether an Appendix III listing for all neotropical populations of this species is appropriate, given the implementation issues currently caused by the listing of this species only in Peru and Colombia. The environmental NGOs expressed concern that the workplan focused on *Cedrela odorata* rather than *Cedrela* spp. as in the listing proposal.

¶31. During consideration of this decision, Norway proposed additional language that would replace the Bigleaf Mahogany Working Group (BMG) with a "Timber Working Group." Although sympathetic to the need to address cross-cutting timber species issues, the United States and other Parties rejected this language and acknowledged the importance of having a forum for the mahogany range states to discuss their specific issues. The Chair of the Plants Committee expressed some willingness to address other species as appropriate in the work of the BMWG.

¶32. REPORT OF THE BIGLEAF MAHOGANY WORKING GROUP: The United States is highly supportive of the work of the BMWG. All parties expressed support for the decisions contained in the report, and the range states shared information about a translation error that had created difficulties for national reporting. These decisions were adopted by consensus with small refinements in language, including correction of the translation error that had caused confusion for the Working Group previously. Mexico will host a workshop on Non-detriment Findings in late 2007, which will include a module on timber. The Parties did not consider a Secretariat proposal in the report suggesting creation of an additional "Timber Working Group," although such concerns about cross-cutting implementation issues mean such a proposal may

be appropriate for the United States to propose at COP15.

¶33. COOPERATION WITH ITTO: The United States proposed a resolution urging additional cooperation between CITES and the International Tropical Timber Organization. A drafting group formed to amend the U.S. document, and the U.S. delegation worked extensively with the EU, Mexico, and Brazil to develop acceptable language. The revised text was adopted by consensus.

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¶34. PHYSICAL INSPECTION OF TIMBER SHIPMENTS: The United States supported the proposed document and its two draft decisions. The first draft Decision directed the Secretariat to consult with Parties and other relevant organizations to compile timber identification tools and timber inspection/measurement protocols, to provide information on how Parties could access them, and to identify what gaps existed and needed further work. The second Decision of this document instructed the Standing Committee to take the results of the Secretariat's finding and develop guidelines to the Parties on timber enforcement, especially dealing with timber measurements.

¶35. Italy (on behalf of the European Community Member States) introduced the document with an amendment to the Decision directed to the Secretariat. The amendment instructed the Secretariat to form an "electronic" working group that would help compile existing timber identification tools and inspection protocols. Brazil also offered several substantive amendments to the draft Decisions. The United States intervened to state that it supported the language in the original proposal and requested to see, in writing, the newly proposed amendments by Italy and Brazil before proceeding further. Brazil requested, and the Chairman of Committee II agreed, to have a drafting group re-draft the proposed Decision and report back to Committee II at a later date. The United States along with Italy (on behalf of the EC countries), Australia, Brazil, Canada, Mexico, Peru, and several other Parties, worked to redraft the Decisions, which Committee II later adopted by consensus.

#### PLANTS

¶36. The United States submitted four proposals regarding plant listings in the CITES Appendices, including three for native species. We proposed to remove Oconee bells (*Shortia galacifolia*) and Arizona agave (*Agave arizonica*) from the Appendices, and these proposals were adopted by consensus. Oconee bells is an endemic species from the Carolinas that, while somewhat rare and restricted in range, is not affected by collection for trade. Arizona agave, which used to be listed under the Endangered Species Act, has been determined to be a sterile natural hybrid between two unlisted species.

¶37. A third native species, also native to Mexico, *Dehesa* bear-grass (*Nolina interrata*), had been listed in Appendix I since 1983. However, this species has not been observed in trade and is protected under domestic laws. The Parties supported the U.S. proposal to transfer this species to Appendix II, adopting it by consensus. The fourth U.S. plant proposal was to amend the annotation to the Japanese yew (*Taxus cuspidata*) to allow for trade in hybrids and cultivars, as a replacement for a similar annotation adopted at COP13 but later determined not to be consistent with the treaty. Switzerland, as Depositary Government on behalf of the Standing Committee, had submitted a similar proposal covering three additional species of *Taxus* and which allowed parts and derivatives to remain controlled while exempting live nursery plants. The United States ultimately withdrew its proposal in favor of the Swiss proposal, which was adopted.

#### INTERNET TRADE IN WILDLIFE

¶38. Germany (on behalf of the European Community Member States) submitted a proposal on internet trade in specimens of CITES-listed species. (Doc. 28). The United States supported this proposal and has commenced training and investigations into the illegal sale of wildlife on the internet. After some questions from the floor, the document achieved consensus.

NEXT CITES VENUE

¶39. Qatar offered to host COP 15 and the Parties accepted the invitation by acclamation. However, in the past, even though one or more countries made such offers, the Secretariat has solicited additional ones through a

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Notification to the Parties. Whether the COP takes place in Qatar will depend on that country meeting all the requirements for hosting it.

A FINAL NOTE

¶40. The U.S. delegation thanks Posts for their assistance in ascertaining the positions of CITES Parties and securing support for U.S. proposals prior to the COP. For further information or questions, please contact Rowena Watson, OES/ETC, watsonrp@state.gov or Amanda Johnson Miller, OES/OMC (JohnsonMillerAX@state.gov , 202-647-4824). Information on specific proposals, resolutions and decisions taken at CoP14, can be found at the CITES website, [www.cites.org](http://www.cites.org).  
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